

REMARKS

Claims 17-59 are pending in the application. Claims 34-46 and 55-59 are allowed. Reconsideration and withdrawal of the remaining rejections are requested in view of the following remarks.

Turning to the § 102(f) rejections at page 2, section 5, of the Office Action, Applicants have included a Rule 1.132 declaration by Hisashi Higuchi, a named inventor on the two cited Shibata et al. design patents, explaining that he only contributed to the ornamental features of the design embodiments. Accordingly, he was properly not included as an inventor in the current case, as he did not contribute to the utilitarian aspects of the claimed invention. The named inventors, therefore, did indeed invent the claimed subject matter.

With respect to the § 102(f) and (g) rejections at page 3, section 6, of the Office Action, the Examiner states, in the Response to Arguments section of the Office Action, that these rejections will be removed upon receipt of the Rule 1.132 declaration by Hisashi Higuchi, which is included with this response. Additionally, with respect to the § 102(g) "same invention" rejections, the pending claims and the design patent claims are not the same as one another, as explained in the previous response. The Examiner acknowledges, at page 5 of the current Office Action, that the Applicants' explanation is convincing. Thus, the § 102(g) rejections should be removed for this reason as well.

With respect to the obviousness-type double patenting rejections at page 4, section 2, of the Office Action, a terminal disclaimer is included with this response to

overcome these rejections. Accordingly, all of the outstanding rejections have been overcome,

In view of the foregoing, it is submitted that the claims are in condition for allowance, and a Notice of Allowance is requested.

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Respectfully submitted,

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